

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at WINCHESTER

VICKI D. STONE,

*Plaintiff,*

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

*Defendant.*

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Case No. 4:08-cv-25  
Judge Mattice

**ORDER**

United States Magistrate Judge William B. Carter filed his report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). [Court Doc. 21.] Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Carter's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, Plaintiff's Motion for Summary Judgment [Court Doc. 17] is **DENIED**. Defendant's Motion for Summary Judgment [Court Doc. 19] is **GRANTED**. The Commissioner's denial of benefits is **AFFIRMED** and the instant action is **DISMISSED WITH PREJUDICE**. The Clerk shall close the case.

SO ORDERED this 4<sup>th</sup> day of March, 2009.

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE